

PATENT COOPERATION TREATY

PCT

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference YY7998	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/JP 03 / 09098	International filing date (day/month/year) 17.07.2003	Priority date (day/month/year) 17.07.2002	
International Patent Classification (IPC) or national classification and IPC Int.Cl. G02B5/30, G02F1/1335, G02F1/13363			
Applicant FUJI PHOTO FILM CO., LTD.			

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
 - a. ☐ a total of _____ sheets, as follows:
 - ☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - b. ☐ a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items:
 - ☒ Box No. I Basis of the report
 - ☐ Box No. II Priority
 - ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - ☐ Box No. IV Lack of unity of invention
 - ☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - ☐ Box No. VI Certain documents cited
 - ☐ Box No. VII Certain defects in the international application
 - ☐ Box No. VIII Certain observations on the international application

Date of submission of the demand 13.01.2004	Date of completion of this report 29.09.2004		
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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP 03 / 09098

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☒ the international application as originally filed/furnished
- ☐ the description:
- pages _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ the claims:
- pages _____ as originally filed/furnished
- pages* _____ as amended (together with any statement) under Article 19
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ the drawings:
- pages _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to sequence listing (specify): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/JP03 / 09098**Box No. V** Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims	<u>2 - 21, 24</u>	YES
	Claims	<u>1, 22, 23</u>	NO
Inventive step (IS)	Claims		YES
	Claims	<u>1 - 24</u>	NO
Industrial applicability (IA)	Claims	<u>1 - 24</u>	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

The following documents have been considered for the purpose of this report:

D1 = WO 98/00475 A1(MERC PATENT GMBH), 1998.01.08

D2 = JP 2002-196139 A(FUJI PHOTO FILM CO., LTD.), 2002.07.10

D3 = JP 2001-91742 A(FUJI PHOTO FILM CO., LTD.), 2001.04.06

The subject matters of claim 1, 22-24 do not appear to have novelty or inventive step in view of the D1. Lines 30-33 in the page of 11 in the document describes the polymerizable mesogenic material, which corresponds to an anisotropic layer, is coated and cured directly onto a polarizer. The document does not explicitly mention a case that an orientation layer is formed on the polarizing membrane. However, since it is well known to use an orientation layer under the polymerizable mesogenic material, a skilled person can easily put the orientation layer on the polarizer described in D1, if necessary.

The subject matters of claim 2-4 do not appear to involve inventive step in view of the D1 and D2. Both the documents describe that an anisotropic layer consists of rod-like liquid crystal molecules. The specification of the anisotropic layer can be appropriately set by a skilled person taking into consideration the specification of the liquid crystal cells and the limitation described in those claims are not so extraordinary in view of D2.

The subject matters of claim 5-8 do not appear to involve inventive step in view of the D1 and D2. The thickness of the polarizing membrane can be appropriately set by a skilled person. A light-diffusing layer, an anti-reflection layer, and a transparent support are normally used in the technical field.

The subject matters of claim 9-21 do not appear to involve inventive step in view of the D1, D2, and D3. The D2 describes there are both the first anisotropic layer and the second anisotropic layer on a polarizing membrane and the D3 describes the both anisotropic layers consist of discotic liquid crystal molecules, thus, a skilled person can easily put those two layers instead of one anisotropic layer described in the D1. The detailed specification of the anisotropic layers can be appropriately set by a skilled person as above-mentioned.